



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry The Gazette of Puducherry

அதிகாரம் பெற்ற வெளியீடு

Publiée par Autorité

Published by Authority

விலை : ₹ 20-00

Prix : ₹ 20-00

Price : ₹ 20-00

எண்	புதுச்சேரி	செவ்வாய்க்கிழமை	2020 ஓ	஫ெப்ரவரி மீ	11 ௨
No.	6	Poudouchéry	11	Février	2020 (22 Magha 1941)
No.		Puducherry	11th	February	2020

பொருளடக்கம்

SOMMAIRES

CONTENTS

	பக்கம்		Page		Page
தொழில் நீதிமன்றத் தீர்ப்புகள்..	104	Sentence arbitral du travail de tribunal.	.. 104	Award of the Labour Court	.. 104
அரசு அறிவிக்கைகள்	.. 123	Notifications du Gouvernement	.. 123	Government Notifications	.. 123
ஆபத்தான நிறுவனங்கள்	.. 126	Etablissements dangereux	.. 126	Dangerous Establishments	.. 126
சாற்றறிக்கைகள்	.. 127	Annonces	.. 127	Announcements	.. 127

**GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT**

(G.O. Rt. No. 12/AIL/Lab./T/2019,
Puducherry, dated 13th January 2020)

NOTIFICATION

Whereas, an Award in I.D. (T) No. 2/2016, dated 16-10-2019 of the Industrial Tribunal, Puducherry in respect of the industrial dispute between the management of M/s. Swadeshi-Bharathi Textile Mills Limited, Puducherry and National Textile Corporation Limited (A Government of India Undertaking), Coimbatore and the union workmen represented by Swadeshi-Bharathi Mills Thozhilalar Urimai Padukappu Sangam-over deductions of bonus advances from the terminal benefits of employees (Annexure-I) has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), read with the Notification issued in Labour Department's G.O. Ms. No. 20/91/Lab./L., dated 23-5-1991, it is hereby directed by the Secretary to Government (Labour) that the said Award shall be published in the Official Gazette, Puducherry.

(By order)

S. MOUTTOULINGAM,
Under Secretary to Government (Labour).

**BEFORE THE INDUSTRIAL TRIBUNAL AT
PUDUCHERRY**

Present : Thiru V. PANDIARAJ, B.Sc., L.L.M.,
Presiding Officer

Wednesday, the 16th day of October 2019.

I.D. (T) No. 2/2016

The President,
Swadeshi-Bharathi Mills Thozhilalar
Urimai Padukappu Sangam,
Puducherry.

. . . Petitioner

Versus

1. The Managing Director,
M/s. Swadeshi - Bharathi Textile
Mills Limited, Puducherry.

2. The Managing Director,
National Textile Corporation Limited,
Coimbatore.

. . . Respondents

This industrial dispute coming on 27-08-2019 before me for final hearing in the presence of Thiruvalargal K. Velmurugan and P. Preethi, Counsel for the petitioner and Thiru. K. Ravikumar, Counsel for the 1st respondent, Thiru. K. Babu, Counsel for the 2nd respondent, upon hearing, upon perusing the case records, after having stood over for consideration till this day, this Court passed the following:

AWARD

1. This Industrial Dispute has been referred by the Government of Puducherry as per the G.O. Rt. No. 46/AIL/Lab./T/2016, dated 30-05-2016 for adjudicating the following:-

(a) Whether the dispute raised by Union workmen Swadeshi-Bharathi Mills Thozhilalar Urimai Padukappu Sangam, against the management of M/s. Swadeshi-Bharathi Textiles Mills Limited, Puducherry and National Textile Corporation (A Government of India Undertaking), Coimbatore, over the illegal deductions made in the terminal benefits of 285 employees listed in Annexure-I, against the bonus advance amount paid from the year 1996-1997 to 2003-2004 is justified or not? If justified, what relief they are entitled to?

(b) To compute the relief, if any, awarded in terms of money if, it can be so computed?

2. *The brief averment of the petition filed by the petitioner:*

(i) The petitioner Trade Union was a registered Trade Union, established for the welfare of the employees worked in the Swadeshi and Bharathi Mills under the name and style of Swadeshi-Bharathi Mills Thozhilalar Urimai Pathugappu Sangam, Puducherry. This industrial dispute has been filed to recover the bonus advances that was deducted from the Terminal benefits of the workmen. Even though this industrial dispute has been raised by 285 workmen, at present 211 workmen alone confined with this industrial dispute as per the Annexure-I. Originally Swadeshi and Bharathi Mills were under the control of the National Textile Corporation Limited, Coimbatore. Thereafter, it was taken over by the Government of Puducherry Union Territory, now, it is the under the control of Puducherry Textile Corporation from 01-04-2005 onwards. The 2011 workmen involved in this industrial dispute are the workers of the first respondent mill and they have rendered continuous and unblemished service to the first respondent mill and they have completed their service during the years varying from 1996 to 2004. The petitioners in the abovesaid Union agitated against, the respondents for their demand of bonus

from the year 1996 onwards. Further, it has issued several strike notices to the first respondent mills against the illegal deduction of bonus advances from the terminal benefit of the workers. Further, it has given strike notices to the Conciliation Officer during the year 2001 to 2003 and therefore, a meeting was convened by the Conciliation Officer, and at that time, the first respondent mill requested this petitioner union, not to resort to strike, as it may cause heavy loss to the mills. The first respondent has assured that whatever the agreement, that would be reached between the 2nd respondent with its mills, will be adopted by the First respondent mill and the said benefit will be extended to the all workman employed in the first respondent mill by ipso fact. Again during the year 2005 all the workers in the mills functioning under the NTC resorted to strike condemning the action of deduction of bonus advances by the NTC from the terminal benefits of the workers. At that time also, the Managing Director of the first respondent mill requested this petitioner Union not to resort to strike as it may cause irreparable loss and hardships to the mill. Furthermore, it also assured that the settlement reached between the NTC (R2) and the other mills in Tamil Nadu functioning under it will be accepted by it and it will be apply, the same to all its employees, and in furtherance of that it has extended the terms of settlement arrived under section 12 (3) and 18 (1) to all its employees, that was reached by the NTC with the mills functioning under it and therefore, the strike was also called off by this petitioner union. As per the agreed advice, dated 20-04-2005 both the parties in the agreement, mutually agreed that, bonus advances paid for the years 1996 to 2004 will not be deducted anymore and the amount already deducted will be refunded to the respective workmen. As per which, the first respondent mill had write off the bonus advances already paid to its workers from the year 1996 to 2004 and the said amount was not to be deducted from the terminal benefits of the workers who retired after the year 2005. Similarly, the 1st respondent mill has refunded the deducted bonus advances to nearly 400 workers, who retired during the period 1996 to 2004. The petitioners/workmen in this trade union, have left their services, during 1996 to 2004, and therefore, they are entitled for the benefit of the agreement, dated 20-04-2005. However, the 2nd respondent mill have not refunded the deducted bonus advance amount to the 211 workmen involved in this industrial dispute for the best reasons known to them. This petitioner union has made several representations to both respondents, even then it ends in vein. Hence, the petitioner union

made representations, dated 11-11-2013 and 09-06-2016 before the Conciliation Officer at Puducherry, against the respondents regarding the illegal deductions made from the terminal benefits of these petitioners. However, the conciliation proceedings also came to an end with failure report and therefore, this reference has been made to this Tribunal for adjudication. The petitioners are entitle for refund of the deductions made from the terminal benefits and therefore, this petition has to be allowed.

3. The brief averment of the counter filed by the 1st respondent:

(i) This petition is not maintainable either in law or on facts as it is devoid of merits. The 1st respondent mill was not under the control of 2nd respondent as alleged in this petition, and it need not implement the schemes and the settlement of the 2nd respondent, as it is not applicable to this 1st respondent mill. Originally, the 1st respondent mill was comprised of two mills in the name of Swadeshi Cotton Mill and Bharathi Mill and they were under the 2nd respondent management. The 2nd respondent has decided to close the abovesaid mills as it was unable to run the Mills, as it was unviable as per the revival-cum-rehabilitation Scheme. At that time, the Government of Puducherry has stepped down and taken over the mills directly under the control of Pondicherry Textile Corporation *vide* notification, dated 19-04-2005 and as per Gazette Notification in G.O. Ms. No. 11/05-Ind-B, dated 04-07-2005 and thereafter, the abovesaid two mills were amalgamated as Swadeshi-Barathi Textile Mill Limited, Puducherry. It was done as a welfare measure and not for profits and thus, the 1st respondent mill came into existence. The 211 workmen involved in this industrial dispute pertains to the period when they were employed either in Sri Bharathi Mills or in Swadeshi Cotton Mills, but, they were never employed in the 1st respondent mill. Since, they were in employment, while the mills were the control of the 2nd respondent, this respondent is not a necessary party to this proceedings and hence, this petition has to be dismissed for mis joinder of parties. Further, this claim is barred by Law of limitation as it is claimed belatedly. The settlement/agreement arrived between the 2nd respondent and its units mills was not having binding force on the 1st respondent mill and hence, it is not applicable to this 1st respondent. Further, the 1st respondent has never ever given any assurance to this petitioner's Union that it will grant the benefits of the settlement arrived by the 2nd respondent, as it was not applicable to this 1st

respondent. It has not automatically extended the benefit of the settlement reached by the 2nd respondent with other mills under its control. This 1st respondent never assured to refund the deductions made in the bonus advances from the terminal benefit of the workers who retired between 1996 to 2004. The 2nd respondent alone has to refund the deductions made by it during the year 1996 to 2004. This 1st respondent denies the legal heirship of the deceased workers as they were not the true legal heirs to them respectively. The claim made against this respondent is devoid of merits and lack of *bona fide* and hence, prayed for dismissal of this application.

4. *The brief averment of the counter filed by the 2nd respondent:*

The claim and the allegations made against the 2nd respondent was denied as lack of *bona fideness*. The 2nd respondent is a public sector undertaking, coming under the Ministry of Textiles, Government of India. The Central Government is a necessary party for adjudicating this dispute and hence, this Tribunal is not having jurisdiction to entertain this application. This industrial dispute is raised with inordinate delay and hence, it is barred by limitation also. During the year 1995-2004, this 2nd respondent corporation had 13 mills in Tamil Nadu and two mills in Puducherry and they were coming under the coverage of bonus Act. It is the usual practice, that whatever bonus and *ex gratia*, decided on Industry wise basis, was used to be paid to the employees who were covered under the Payment of Bonus Act irrespective of the facts whether they fall under the category of workmen, staff or Officers. In the case of, the employees who were not covered under the Payment of Bonus Act, it is the usual practice to pay an advance amount which is recoverable in easy monthly installments. During the year 1995-1996 the bonus was paid at the rate of 8.33 % on their wages, and the *ex gratia* was paid at the rate of 8.17%. In respect of the 1st respondent mill the *ex gratia* amount was fixed as 8.17 %. Further, for those workmen who were not covered under the Payment of Bonus Act, it was agreed that the amount equivalent to that of bonus and *ex gratia*, was decided to be given and the same would be recovered in six equal monthly installments commencing from March 1997. This petitioner union and some other union made a representation that, there was a move to the Government to amend the Payment of Bonus Act regarding the ceiling limit, and the applicability of the same to those who earned more than ₹ 3,500

per month, and in view of that request the recovery was deferred and the commencement of recovery was postponed to April 1997. This settlement is, on the issue of recovery of bonus advance made with regard to employees, who were not covered under the Payment of Bonus Act only. The petitioner in this industrial dispute, has received the advances, were under obligation to refund the same on installment basis commencing from April 1997. There was no amendment took place in the Payment of Bonus Act till 2005 and therefore, the abovesaid advances amount given to them were to be recovered without fail. The legal heirs of the deceased workmen are not entitled make any claim as the legal heirship itself is denied as false by this respondent. The payment of advances to the staff, workmen were made in terms of settlement that was arrived on 07-11-1996 and 08-11-1996, and hence, recoveries also to be made on the basis of the abovesaid settlement. There is no employer and employee relationship between the 2nd respondent and the petitioner union on and from 01-04-2005. Since, the petitioners received the advance, they have to refund the same by way of installments. If, the mill was not permitted to recover the same it will create financial crunch to the respondent and no such advance can be granted in future also. It is true that the Joint Commissioner of Labour has given agreed advice *vide*, dated 20-04-2005 duly signed by the NTC management with Trade Unions functioning in the units in Tamil Nadu, for not deducting the bonus advances paid to the workers in the unit mills in Tamil Nadu for the period from 1996-2004 till the final decision of the Central Government. The said terms of agreed advice was applicable to the mill employees as on 20-04-2005, in Tamil Nadu State only. The relationship between this 2nd respondent and the petitioners came to an end during 1996 to 2004 itself. Therefore, the assurance of the 1st respondent to the petitioner union that, the agreement reached by this 2nd respondent with its units mills functioning under it, will be applicable to the 1st respondent and it will extend the same to the petitioners union by ipso fact, will not bind this respondent. Further, it is unknown to this 2nd respondent regarding the assurance given by the 1st respondent to this petitioner's union regarding the applicability of the settlement arrived by this 2nd respondent and hence, this petition has to be dismissed.

5. On the side of the petitioner only one witness was examined and Ex.P1 to Ex.P 244 were marked. On the side of the respondent RW.1 was examined and Ex.R1 to R54 were marked.

6. The petitioner side Counsel argued that these petitioners are the Ex-workmen in Swadeshi-Bharathi Cotton Mills and they got retired from their service during the year 1996 to 2004 and they were given bonus advances *in lieu of* bonus and *ex gratia* during their service period, as they were not coming under the coverage of Payment of Bonus Act. As per the agreed advice, dated 20-04-2005 the bonus advances cannot be deducted from their terminal benefits. But, it was deducted illegally and therefore, this industrial dispute has been raised against 1st and 2nd respondent with a prayer to refund the abovesaid amount and the 1st and 2nd respondents are jointly and severally liable to refund the same with 18% of interest and hence, he prayed to allow this industrial dispute.

7. The 1st respondent side Counsel argued that this industrial dispute is not maintainable as there is no employer and employees relationship exists at the time of filing the industrial dispute. It is further, argued that this Tribunal is not empowered to adjudicate this industrial dispute on the ground of time-limit and on the ground of lack of jurisdiction. It is further, argued that even if, the petitioners are entitle for any relief, that has to be paid by the 2nd respondent alone and therefore, it has to be dismissed for mis-joinder of this mill as 1st respondent. It is further, argued that the petitioner union is not having any *locus standi* to file this industrial dispute and hence, he prayed for dismissal of this industrial dispute.

8. The Counsel for the 2nd respondent argued that this petitioner union is not having any *locus standi* to raise this industrial dispute and this Tribunal is not empowered to adjudicate this industrial dispute as it is not having jurisdiction over the dispute. It is further, argued that this Industrial Dispute is for dismissal for non-joinder of necessary parties as the petitioner has failed to implead the Central Government in this case. Further, it is argued that, as 1st respondent is not under the control of NTC on and from 20-04-2005 and therefore, it cannot get the benefit of the terms of agreed advice, dated 20-04-2005. It is further, argued that this 2nd respondent is not having any liability to refund the bonus advances to this petitioner union as it is not a claim legally sustainable against this respondent and hence, he prayed for dismissal of this application.

9. Points for consideration:

Whether the dispute raised by this petitioner union against the respondent/management, over the illegal deductions made in the terminal benefits of 285 employees against the bonus advance amount paid from the year 1996-1997 to 2003-2004 is justified or not? and if justified, what is the relief that they are entitled for?

10. On the point:

The respondent side Counsel argued that this Tribunal is not empowered to entertain this industrial dispute as it is not having jurisdiction. To this aspect the respondent side Counsel argued that the Central Government is the necessary party to this dispute and therefore, this Tribunal lacks jurisdiction. On perusal records it is found that this industrial dispute is raised by this petitioner union for its members/employees for refund of the bonus advance that was deducted from the terminal benefits of the workman. This Tribunal gets its power under the industrial dispute Laws, to adjudicate this dispute as the claim is related to bonus advances *in lieu of* bonus. Furthermore, the petitioner has made their claims against the 1st and 2nd respondent alone and it has not made any claim against the Central Government and therefore, the argument of lack of jurisdiction was not accepted by this Tribunal.

11. The respondent side Counsel further, argued that the petitioner union is not having any *locus standi* to raise this industrial dispute. In this regard, the petitioner side Counsel filed the citation reported in

2010 LLR 403

in

Duncans Industries Limited, Kanpur

Vs.

Presiding Officer and another

Wherein, the 2nd para runs as follows:

An industrial dispute was raised by respondent No. 2 on behalf of the workers. It was referred to Industrial Tribunal and registered as Adjudication Case No. 232 of 1982, In the said Adjudication Case, petitioner raised a preliminary objection that respondent No. 2 is not competent to raise the aforesaid dispute on behalf of the workmen as they are not members of the said Union and substantial number of workmen of the company, not being members of the said Union, are not interested in raising the dispute through the aforesaid Union. An application 22-D was also moved by the petitioner for summoning certain documents from respondent No. 2. On said application on 07-12-1983 an order was passed directing respondent No. 2 to produce three documents, namely, (1) Constitution of the Union; (2) Membership register of the Union for the year 1982; and (3) The resolution, if any, of the Union for raising the dispute. Despite sufficient time being granted, none of the above documents were produced by the respondent No. 2 for about ten years, whereupon impugned order, dated 31-10-1994 was

passed by the Tribunal permitting respondent No. 2 to continue representing the case of the workers, and absolving it from the liability to produce the aforesaid documents, as the documents summoned were not available.

12. As per the abovesaid Judgment the Trade Union has to given its Registration Certificate, membership register and the resolution if any, to prove it *locus standi*. Here, in this case, the PW.1 has deposed that he is the president of Trade Union and he is one of the Ex-workman employed in the abovesaid mill and it has its own Registration Number and the resolution was also passed in the meeting to conduct/raise this industrial dispute by the Trade Union. He has further, deposed that he has raised the industrial dispute for the welfare of 211 workmen. Therefore, from the evidence of PW.1 it is found that the petitioner Trade Union having *locus standi* to raise this industrial dispute. Further, in the citation reported in

AIR 1966(53) SC 182

In

Workmen of M/s. Dharam Paul Prem Chandra

Vs.

M/s. Dharam Paul Prem Chandra

it was held that an individual dispute become industrial dispute only if, it is sponsored by the union of workmen and such union fairly claims to be working in representative capacity on behalf of such workers. Here, in this case also, this industrial dispute was raised for the welfare of 211 Ex-workmen of Swadeshi-Bharathi Cotton Mills. It reveals that the petitioner union has *locus standi* to raise the dispute. Further more, this petitioner union has already filed writ petition in WP 49773/2006 before the Hon'ble High Court of Judicature at Madras against the 1st and 2nd respondents for some other claims related to gratuity, and the said writ petition was ordered in favour of this petitioner union namely, Swadeshi-Bharathi Panchalai Thozhilalar Urimai Padukappu Sangam. It also, reveals that this Trade Union is having *locus standi* to raise this industrial dispute. At this stage, this Tribunal inclined to discuss whether the citation filed by this respondent are applicable to this case, and whether they can get any benefit under the citations. The first citation filed by the respondent mill is the Judgment rendered by the Hon'ble Delhi High Court in

Balsara Hygiene Products Ltd.

Vs.

The Appellate Authority

reported in 2002 (92) FLR 676 wherein, the petitioner has claimed gratuity under section 4 of the Payment of Gratuity Act 1972, wherein, the respondent management has branches in more than one State and on that basis,

the Hon'ble High Court has held that the appropriate Government is the Central Government. It is established that the authority appointed by the State Government has no jurisdiction to entertain and decide the matter. But, here in the present case, this petitioner has not claimed gratuity under section 4 of Payment of Gratuity Act 1972. Further, both the respondent is not having branches in more than one State. Therefore, the argument put forth by the respondent Counsel is found to be not applicable to this case. The respondent side Counsel filed another Judgment of the Hon'ble High Court of the Madras in W.A.P. No. 178 to 180/2012, dated 04-08-2016, wherein, the order of the Controlling Authority for Mahe under the Payment of Gratuity Act, 1972 and Labour Officer, Karaikal was challenged before the Hon'ble High Court at Madras. In the abovesaid citation, the appellant was the Cannanore Spinning and Weaving Mills (A Unit of NTC (APKK & M) Ltd., Palloor, Mahe, wherein, the Hon'ble High Court has dealt with the question whether the abovesaid Mill was under the Central Government or Puducherry Union Territory Control? The abovesaid mill have been shown as a sick unit and it was taken over by the Central Government and therefore, the Hon'ble High Court has held that Central Government is the Appropriate Authority for the abovesaid mill. But, here in this case, the both the mills are not under the Central Government control. Further, they were not coming under the category of sick units and it was not taken over by the Central Government. Therefore, the abovesaid citation was not applicable to the scenario of the present case. Hence, considering the abovesaid citations reported on both sides and on perusal of the Writ Petition order produced by this petitioner Trade Union, this Court come to the conclusion that the petitioner Trade Union is having *locus standi* to raise this industrial dispute.

13. The next point argued by the respondent Counsel is that the claim is barred by limitation. No fruitful documents and evidences were produced by the respondent mill in this aspect. Further, the respondent has failed to prove how it has prejudice the respondents. Further more, Law of limitation is not applicable to industrial dispute cases. Further more, on perusal of records Ex.P212 to Ex.P244 this Court found that this petitioner Trade Union has made several representations before the respondent and the Conciliation Officer regarding its claim of bonus and refund of deductions made from their terminal benefits from the year 2001 itself. All these documents would goes to shows that this petitioner trade union is making their claim within the time-limit and not in a belated manner. Hence, considering all these aspects, this Court come to the conclusion that the claim is not barred under law of limitation.

14. The next point for consideration is whether, the petitioner Trade Union is making a lawful claim against the 1st and 2nd respondents? and whether, it is sustainable? if so, who is liable to refund the deductions of bonus advances made from the terminal benefits of the workmen?

15. The petitioners are the Ex-workmen of the Swadeshi-Bharathi Cotton Mills at Puducherry. The 1st and 2nd respondents have made deductions towards bonus advances from the terminal benefits of the workmen. The Swadeshi Cotton Mill and Bharathi Mill are to different entity and they were under the control of the 2nd respondent NTC till 31-03-2005 and it was taken over by the Puducherry Government on and from 01-04-2005. All the abovesaid facts are admitted by both the parties.

16. Indisputably the petitioners are trying to enforce the terms of agreed advice, dated 20-04-2005 under the Industrial Disputes Act in their favour. It is the plea raised by the petitioner union, that it was entitled for the benefit of the above agreed advice, dated 20-04-2005. *Per contra*, it is denied by the respondents, that these petitioners are not entitled for the same and hence, the claim is to be dismissed in limine.

17. PW.1 in this case deposed that an agreed advice was arrived on 20-04-2005 between the NTC(R2) and the mills functioning under it and thereby both parties have mutually agreed that the bonus advances paid to the employees during the year 1996 to 2004 will not be deducted any more. In support of this evidence, he has marked Ex.P225 and the very same document was marked as Ex.R3 on the side of the respondents. In Ex.R3/ Ex.P225 the clause No. 1 runs as follows:

“சென்னை உயர்நீதிமன்றத்தில் இடைக்காலத்தடை உத்தரவிற்கிணங்க தொழிலாளர்களுக்கு 1996-1997 முதல் 2003-2004 வரை வழங்கப்பட்ட போனஸ் முன்பணம் பிடித்தம்/வசூல் செய்யப்படமாட்டாது என நிர்வாகத்தரப்பில் ஒப்புக்கொள்ளப்பட்டது. மேலும், 30-06-2004 அன்று ஏற்பட்ட பிரிவு 12(3) ஒப்பந்தத்தின் சரத்து 6 மற்றும் 7-ன்படி மத்திய அரசின் இறுதி முடிவு வரும் வரை தொழிலாளர்களுக்கு போனஸ் முன்பணம் கொடுத்ததை பிடித்தம்/வசூல் செய்யப்படமாட்டாது என நிர்வாகத்தரப்பில் ஒப்புக்கொள்ளப்பட்டது.”

So, it is clear that deductions cannot be made from the terminal benefit of the workmen until the final decision is received from the Central Government with respect to the deductions of bonus advances. Further, in view of the stay order of the Hon'ble High Court, Madras, the deductions cannot be made from the terminal benefits. PW.1 has further deposed that the 1st respondent mill has implemented the same and it has write-off the bonus advances already paid

and the said amount was not deducted from the terminal benefits of the workers who retired after 2005. He further, deposed that the 1st respondent mill have refunded the deductions nearly 400 workers who retired during the period 1996 to 2004 and the same benefit was not extended to the 211 workmen in the present industrial dispute. To prove this aspect the petitioner has filed the documents such as Ex.P227 to Ex.P232. The abovesaid documents would go to shows that there was no deductions for the employees who left the mill during 2007 to 2013. In this regard, the 1st respondent mill has sent the letters such as Ex.P227 to Ex.P232 to the NTC on various dates during 2007 to 2013. Further, it would go to shows that the terms and conditions of the agreed advice, dated 20-04-2005 was adopted and applied by the 1st respondent mill to part of its workers who left the mill from 2007 to 2013. But, at the same time, it has not rendered the same benefit to the workers who get retirement during 1996 to 2004. It shows, the disparity action of the 1st respondent management. Even though, it has been stated in Ex.P225, that deduction should not be made towards the bonus advances for the employees who got retirement during 1996-1997 to 2003-2004, the 1st respondent has deducted the same in an illegal manner without offering any explanation for its action of deduction. At this juncture, the respondent side counsel argued that the Agreed advice, dated 20-04-2005 was applicable for the mills in Tamil Nadu only and it was not applicable for the mills at Pondicherry. *Per contra*, the petitioner side Counsel argued that whatever the decision taken by the NTC during its settlement it has been promptly adopted and applied by the mills at Pondicherry also. In this regard, this Tribunal inclined to peruse the document Ex.P216. On perusal of Ex.P216, it is found that the Swadeshi Cotton Mill has given a letter to the Trade Union, stating that the settlement arrived by the NTC was adopted by it for its employees also. Further, as per the Ex.P227 to Ex.P232 the respondent mill has adopted the settlement arrived by NTC and in result of which it has not deducted the bonus advances from the employees who left the mill from 2007 to 2013. Hence, Ex.P216 and P227 to P232 would go to shows that 1st respondent has adopted the decision/settlement arrived by the NTC in letter and spirit. Therefore, refusing the benefit of the same, to this petitioner union is nothing but, a disparity shown by the 1st respondent. Further more, RW.1 has not denied the same in his cross-examination. Hence, considering the clause No. 1 in agreed advice, dated 20-04-2005 and the documents such as Ex.P216, P227 to P231 and P232, this Court come to

the conclusion that the claim made by this petitioner union is legally sustainable one and the petitioners are also entitle for the benefit of the agreed advice, dated 20-04-2005.

18. The next point for consideration is who is liable to refund the bonus advances that were recovered from the petitioners. In this aspect, this Court inclined to go through the evidence of RW.1. During the cross-examination, RW.1 has deposed that the first respondent mill has deducted the bonus advances from 2011 workmen and the said sum deducted was in the hands of the 1st respondent mill. It was not denied by the 1st respondent mill by showing contra any evidences. Further more, as per clause 3 and 6 of the memorandum of understanding (Ex.P224) between R1 and R2, the 1st respondent is liable to refund the same, Hence, considering the evidence of RW.1 and memorandum of understanding (Ex.P224), this Tribunal come to the conclusion that the 1st respondent management is liable to refund the deductions.

20. In the result, this claim petition is allowed and the industrial dispute raised by this petitioner Union against the 1st respondent/management, over the issue of deductions of bonus advances from the terminal benefits of the employees (Annexure-I) is decided as justified, and an award is passed directing the 1st respondent/management to refund the deductions towards the bonus advances from the employee's terminal benefits who left from the service during 1996-2004 with subsequent interest at the rate of 12% per annum from the date of its deductions, within a period of one month and the industrial dispute raised against the 2nd respondent stands dismissed. No cost.

Dictated to Stenographer, transcribed by him, corrected and pronounced by me in the Open Court on this the 16th day of October, 2019.

V. PANDIARAJ,
Presiding Officer,
Industrial Tribunal-cum-
Labour Court, Puducherry.

List of petitioner's witness:

PW.1 — 13-07-2017 K. Mohandoss

List of petitioner's exhibits:

- Ex.P1 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman R. Patchaipillai.
- Ex.P2 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman A. Babu Azamadulla.

- Ex.P3 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman G. Selvaraj.
- Ex.P4 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman S. Susaimarianathan @ Joseph.
- Ex.P5 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman K. Balan @ Arikrishnan.
- Ex.P6 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman B. Muthuvarasan.
- Ex.P7 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman V. Sandanakrishnan.
- Ex.P8 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman K. Perumal.
- Ex.P9 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman R. Chandran.
- Ex.P10 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman H. Nethra Lal Sharma.
- Ex.P11 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman A. Kaliyaperumal.
- Ex.P12 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman E. Muniyan.
- Ex.P13 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman S. Mohamed Hannifa.
- Ex.P14 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman M. Patchaiyappan.
- Ex.P15 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman P. Pandarinathan.
- Ex.P16 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman B. Raymont.
- Ex.P17 — Photocopy of the calculation of *ex gratia* payment given by the 1st respondent mills to the workman M. Iroudyanathan.

- | | |
|--|--|
| <p>Ex.P18 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Subramanian.</p> <p>Ex.P19 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman I. Pathiyanathan.</p> <p>Ex.P20 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Nagamuthu.</p> <p>Ex.P21 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Thangaraj.</p> <p>Ex.P22 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Kannappan.</p> <p>Ex.P23 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Ramalingam.</p> <p>Ex.P24 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman G. Radhakrishnan.</p> <p>Ex.P25 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman V. Subramanian.</p> <p>Ex.P26 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Gopalsamy.</p> <p>Ex.P27 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Masilamani.</p> <p>Ex.P28 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Tamilselvam.</p> <p>Ex.P29 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Ranganathan.</p> <p>Ex.P30 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman T. Dhandapani.</p> <p>Ex.P31 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Velu.</p> <p>Ex.P32 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Ezhumalai.</p> <p>Ex.P33 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman A. Arokiasamy.</p> | <p>Ex.P34 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Devaraj.</p> <p>Ex.P35 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman G. Datchinamoorthy.</p> <p>Ex.P36 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Padmanaban.</p> <p>Ex.P37 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Velu.</p> <p>Ex.P38 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman V. Lourdasamy Tirinty.</p> <p>Ex.P39 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman A. Andre Norbert Leon.</p> <p>Ex.P40 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Devanathan.</p> <p>Ex.P41 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Anandarayer.</p> <p>Ex.P42 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Subramanian Rajendiran.</p> <p>Ex.P43 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman N. Subramanian.</p> <p>Ex.P44 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Govindan @ Thulasingam.</p> <p>Ex.P45 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Sivadasan.</p> <p>Ex.P46 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Datchinamoorthy.</p> <p>Ex.P47 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman A. Mohandoss.</p> <p>Ex.P48 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman V. Veeramany.</p> |
|--|--|

- | | |
|--|--|
| <p>Ex.P49 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Rajendiran.</p> <p>Ex.P50 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman A. Savoul Perlistere.</p> <p>Ex.P51 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Ramadoss.</p> <p>Ex.P52 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Arumugam.</p> <p>Ex.P53 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Mani.</p> <p>Ex.P54 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman N. Arumugam.</p> <p>Ex.P55 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Lourdunathan.</p> <p>Ex.P56 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman A. Abdul Azis.</p> <p>Ex.P57 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Kannan.</p> <p>Ex.P58 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Tamijepalane Pedro.</p> <p>Ex.P59 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Mani.</p> <p>Ex.P60 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Purushottaman.</p> <p>Ex.P61 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Pattabiraman.</p> <p>Ex.P62 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman A. Faranswa.</p> <p>Ex.P63 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Nithyanandam.</p> | <p>Ex.P64 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman V. Padmanaban.</p> <p>Ex.P65 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Balu Naidu.</p> <p>Ex.P66 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman G. Boopalan.</p> <p>Ex.P67 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman B. Gunasekaran.</p> <p>Ex.P68 — Photocopy of the calculation of <i>ex gratia</i> payment driven by the 1st respondent mills to the workman V. Jothikumar.</p> <p>Ex.P69 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman L. Kaliappan.</p> <p>Ex.P70 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S Kengamuthu.</p> <p>Ex.P71 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Marie Juliane Ambrose.</p> <p>Ex.P72 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman N. Kalivardhan.</p> <p>Ex.P73 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Anandakumar.</p> <p>Ex.P74 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Kanagaraj.</p> <p>Ex.P75 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman G. Sambandam.</p> <p>Ex.P76 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Jeeva.</p> <p>Ex.P77 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman N. Balasubramanian.</p> <p>Ex.P78 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Valvilori.</p> <p>Ex.P79 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman N. Narasimmamurthy.</p> |
|--|--|

- | | |
|--|--|
| <p>Ex.P80 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Villalan.</p> <p>Ex.P81 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Rayappan.</p> <p>Ex.P82 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Mugundan.</p> <p>Ex.P83 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman A. Israyal.</p> <p>Ex.P84 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Rabel.</p> <p>Ex.P85 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman L. Palanivel @ Dhandapani.</p> <p>Ex.P86 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Sugumaran.</p> <p>Ex.P87 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman T. Paneerselvam.</p> <p>Ex.P88 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman V. Visvanathan.</p> <p>Ex.P89 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman E. Uthiravelu.</p> <p>Ex.P90 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman L. Ragothaman.</p> <p>Ex.P91 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman A. Balasubramanian.</p> <p>Ex.P92 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman A. Sekaran.</p> <p>Ex.P93 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Mohanan.</p> <p>Ex.P94 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman I. Soosai.</p> <p>Ex.P95 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Angappan.</p> | <p>Ex.P96 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman N. Kuppen.</p> <p>Ex.P97 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman T. Loganathan.</p> <p>Ex.P98 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Kasinathan.</p> <p>Ex.P99 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman C. Rajendiran.</p> <p>Ex.P100 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman G. Paneerselvam.</p> <p>Ex.P101 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman N. Parasuraman @ Paramasivam.</p> <p>Ex.P102 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman E. Rathinam.</p> <p>Ex.P103 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Seenivasan.</p> <p>Ex.P104 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman A. Louis.</p> <p>Ex.P105 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Sabidadevi.</p> <p>Ex.P106 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Ravindran.</p> <p>Ex.P107 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Sadhanantham.</p> <p>Ex.P108 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Adinarayanan.</p> <p>Ex.P109 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Sivagnanam.</p> <p>Ex.P110 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Ambujam.</p> <p>Ex.P111 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Arunachalam.</p> |
|--|--|

- | | |
|---|---|
| <p>Ex.P112 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Zeeva Artiste.</p> <p>Ex.P113 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Susaimarinathan.</p> <p>Ex.P114 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Arumugam.</p> <p>Ex.P115 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Krishnaraj @ Ariaputhiri.</p> <p>Ex.P116 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Shanmugam.</p> <p>Ex.P117 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman G. Munisamy.</p> <p>Ex.P118 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Irussappan.</p> <p>Ex.P119 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman J. Rajaraman.</p> <p>Ex.P120 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman V. Ramkumar.</p> <p>Ex.P121 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Datchinamoorthy.</p> <p>Ex.P122 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Amaiappan.</p> <p>Ex.P123 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Selvam.</p> <p>Ex.P124 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman N. Kumar @ Venkatarayan.</p> <p>Ex.P125 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Dhayalan.</p> <p>Ex.P126 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Mohankumar.</p> | <p>Ex.P127 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Balakrishnan.</p> <p>Ex.P128 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. German.</p> <p>Ex.P129 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman T. Masilamani.</p> <p>Ex.P130 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman N. Ramamurthy.</p> <p>Ex.P131 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman G. Gandhi.</p> <p>Ex.P132 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman G. Srinivasan.</p> <p>Ex.P133 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman V. Vasu.</p> <p>Ex.P134 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman N. Sendhilvinayagam.</p> <p>Ex.P135 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Rouvier Florent.</p> <p>Ex.P136 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman D. Prosper.</p> <p>Ex.P137 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Sankaradas.</p> <p>Ex.P138 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Muthu.</p> <p>Ex.P139 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman L. Sundararajan.</p> <p>Ex.P140 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Arokiasamy.</p> <p>Ex.P141 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Manickam.</p> <p>Ex.P142 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Isack.</p> |
|---|---|

- | | |
|--|--|
| <p>Ex.P143 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Govindan.</p> <p>Ex.P144 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman J. Kuppusami.</p> <p>Ex.P145 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman V. Rajalakshmi.</p> <p>Ex.P146 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Gnanamurthy.</p> <p>Ex.P147 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Sreedharan.</p> <p>Ex.P148 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman B. Murugaiyan.</p> <p>Ex.P149 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman E. Selvarassou.</p> <p>Ex.P150 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Veerappan.</p> <p>Ex.P151 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Rajaram.</p> <p>Ex.P152 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Sugumaran.</p> <p>Ex.P153 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman G. Narayanasamy.</p> <p>Ex.P154 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman G. Tamilanban.</p> <p>Ex.P155 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman C. Rapheliathan.</p> <p>Ex.P156 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Venkatachalam.</p> <p>Ex.P157 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Tamilkodi.</p> <p>Ex.P158 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Karuppiyah.</p> | <p>Ex.P159 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman A. Chandra.</p> <p>Ex.P160 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman C. Jayapal.</p> <p>Ex.P161 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman G. Piragasam.</p> <p>Ex.P162 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Shanmugam.</p> <p>Ex.P163 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Kaliyamurthy.</p> <p>Ex.P164 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman N. Ganesan.</p> <p>Ex.P165 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman G. Samuel @ Kumar.</p> <p>Ex.P166 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Srinivasan.</p> <p>Ex.P167 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman T. Sattaiyappan.</p> <p>Ex.P168 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman N. Vaithiyanathan.</p> <p>Ex.P169 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Rathinasabapathy.</p> <p>Ex.P170 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman C. Sathiyamoorthy.</p> <p>Ex.P171 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Parimalam.</p> <p>Ex.P172 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman A. Elansezian.</p> <p>Ex.P173 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman A. Martin Louis Devarayan.</p> <p>Ex.P174 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Sekar.</p> |
|--|--|

- | | |
|---|---|
| <p>Ex.P175 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Lakshmanan.</p> <p>Ex.P176 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman V. Moreau Bertin.</p> <p>Ex.P177 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Nandakumar.</p> <p>Ex.P178 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Karupaiyan.</p> <p>Ex.P179 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Narasimmane.</p> <p>Ex.P180 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman J. Vijayalakshmi.</p> <p>Ex.P181 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman V. Jegadeesan.</p> <p>Ex.P182 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman V. Krishnamoorthy.</p> <p>Ex.P183 — Photocopy of notice for payment of gratuity given by the 1st respondent mills to the workman M. Ramanujam.</p> <p>Ex.P184 — Photocopy of notice for payment of gratuity given by the 1st respondent mills to the workman T. Govindarasu Perumal.</p> <p>Ex.P185 — Photocopy of notice for payment of gratuity given by the 1st respondent mills to the workman Patchaipillai.</p> <p>Ex.P186 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Vaithilingam.</p> <p>Ex.P187 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman J. Mathews.</p> <p>Ex.P188 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Pourouchottamin.</p> <p>Ex.P189 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Selvaraj.</p> <p>Ex.P190 — Photocopy of notice for payment of gratuity given by the 1st respondent mills to the workman G. Radhakrishnan.</p> | <p>Ex.P191 — Photocopy of notice for payment of gratuity given by the 1st respondent mills to the workman S. Palanisamy.</p> <p>Ex.P192 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman T. Mahalingam.</p> <p>Ex.P193 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Panchatcharam.</p> <p>Ex.P194 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Rajaraman.</p> <p>Ex.P195 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Sarada.</p> <p>Ex.P196 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman V. Arumugam.</p> <p>Ex.P197 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Somasundaram.</p> <p>Ex.P198 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman D. Arokiadass.</p> <p>Ex.P199 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman V. Kesavalu.</p> <p>Ex.P200 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman A. Kannan.</p> <p>Ex.P201 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman M. Karunanidhy.</p> <p>Ex.P202 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman C. Alagappan.</p> <p>Ex.P203 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Marimuthu.</p> <p>Ex.P204 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman T. Nagarajan.</p> <p>Ex.P205 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman P. Tamilarasan.</p> <p>Ex.P206 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Kannan.</p> |
|---|---|

- | | |
|--|---|
| <p>Ex.P207 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman K. Gurunathan.</p> <p>Ex.P208 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman E. Ramadass.</p> <p>Ex.P209 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman R. Sundar.</p> <p>Ex.P210 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman D. Pavadaisamy.</p> <p>Ex.P211 — Photocopy of the calculation of <i>ex gratia</i> payment given by the 1st respondent mills to the workman S. Bharathy.</p> <p>Ex.P212 — Photocopy of the letter, dated 24-10-2011 given by the petitioner union to the 1st respondent mills.</p> <p>Ex.P213 — Photocopy of the notice of enquiry, dated 29-10-2001 sent by the Labour Officer (Conciliation), Puducherry.</p> <p>Ex.P214 — Photocopy of the letter, dated 29-10-2001 sent by the petitioner Union to the Labour Officer (Conciliation), Puducherry.</p> <p>Ex.P215 — Photocopy of the notice, dated 12-11-2001 issued by the 2nd respondent mills.</p> <p>Ex.P216 — Photocopy of the notice, dated 13-11-2001 issued by the 1st respondent mills.</p> <p>Ex.P217 — Photocopy of the notice of enquiry, dated 11-10-2002 sent by the Labour Officer (Conciliation), Puducherry.</p> <p>Ex.P218 — Photocopy of the 12(3) settlement entered between the 2nd respondent and all workers affiliated to it.</p> <p>Ex.P219 — Photocopy of the notice of enquiry, dated 11-06-2003 sent by the Labour Officer (Conciliation), Puducherry.</p> <p>Ex.P220 — Photocopy of the letter, dated 30-09-2003 sent by the petitioner Union to the Labour Officer (Conciliation), Puducherry.</p> <p>Ex.P221 — Photocopy of the notice of enquiry, dated 01-10-2003 sent by the Labour Officer (Conciliation), Puducherry.</p> <p>Ex.P222 — Photocopy of the 18(1) settlement entered between the 2nd respondent and all workers affiliated to it.</p> | <p>Ex.P223 — Photocopy of the Bonus advances recovered from the employees of the 1st respondent mills till 03-07-2004.</p> <p>Ex.P224 — Photocopy of the Memorandum of Understanding, dated 01-04-2005 entered between PTC and NTC.</p> <p>Ex.P225 — Photocopy of the agreed terms entered between the 2nd respondent and all workers affiliated to it before the Joint Labour Commissioner, Coimbatore.</p> <p>Ex.P226 — Photocopy of the letter, dated 22-04-2005 sent by the petitioner Union to the Managing Director of 1st respondent mills.</p> <p>Ex.P227 — Photocopy of the letter, dated 17-03-2008 sent by the 1st respondent mills to the 2nd respondent.</p> <p>Ex.P228 — Photocopy of the letter, dated 22-05-2009 sent by the 1st respondent mills to the 2nd respondent.</p> <p>Ex.P229 — Photocopy of the letter, dated 06-04-2010 sent by the 1st respondent mills to the 2nd respondent.</p> <p>Ex.P230 — Photocopy of the letter, dated 02-04-2012 sent by the 1st respondent mills to the 2nd respondent.</p> <p>Ex.P231 — Photocopy of the letter, dated 30-06-2012 sent by the 1st respondent mills to the 2nd respondent.</p> <p>Ex.P232 — Photocopy of the letter, dated 01-04-2013 sent by the 1st respondent mills to the 2nd respondent.</p> <p>Ex.P233 — Photocopy of the letter, dated 11-11-2013 sent by the petitioner Union to the Labour Officer (Conciliation), Puducherry.</p> <p>Ex.P234 — Photocopy of the letter, dated 28-11-2013 sent by the 1st respondent mills to the 2nd respondent.</p> <p>Ex.P235 — Photocopy of the letter, dated 02-12-2013 sent by the 2nd respondent to the Labour Officer (Conciliation), Puducherry.</p> <p>Ex.P236 — Photocopy of the letter, dated 11-12-2013 sent by the petitioner union to the Labour Officer (Conciliation), Puducherry.</p> <p>Ex.P237 — Photocopy of the letter, dated 20-01-2015 sent by the petitioner union to the Labour Officer (Conciliation), Puducherry.</p> |
|--|---|

- Ex.P238 — Photocopy of the letter, dated 06-02-2015 sent by the petitioner union to the Labour Officer (Conciliation), Puducherry.
- Ex.P239 — Photocopy of the letter, dated 04-06-2015 sent by the petitioner union to the Labour Officer (Conciliation), Puducherry.
- Ex.P240 — Photocopy of the letter, dated 09-06-2015 sent by the petitioner union to the Labour Officer (Conciliation), Puducherry.
- Ex.P241 — Photocopy of the letter, dated 22-09-2015 sent by the petitioner union to the Labour Officer (Conciliation), Puducherry.
- Ex.P242 — Photocopy of the failure report, dated 29-10-2015 submitted by the Labour Officer (Conciliation), Puducherry.
- Ex.P243 — Photocopy of the order, dated 30-05-2016 issued by the Labour Commissioner, Puducherry.
- Ex.P244 — Photocopy of the Gazette Publication, dated 21-06-2016.

List of respondent's witnesses:

- RW1 — 19-09-2018 N. Gunasekaran

List of respondent's exhibits:

- Ex.R1 — 01-04-2005 Photocopy of Memorandum of Settlement entered between Pondicherry Textile Corporation and 2nd respondent.
- Ex.R2 — 20-04-2005 Photocopy of Circular issued by the 2nd respondent,
- Ex.R3 — 20-04-2005 Photocopy of agreed advice issued by the Joint Labour Commissioner, Coimbatore.
- Ex.R4 — 30-06-2004 Photocopy of Settlement entered under section 12 (3) of the Industrial Disputes Act, 1946.
- Ex.R5 — 07-11-1996 Photocopy of Settlement entered under section 12 (3) of the Industrial Disputes Act, 1946.
- Ex.R6 — 09-11-1996 Photocopy of Settlement entered under section 12 (3) of the Industrial Disputes Act, 1946.
- Ex.R7 — 07-12-2017 Letter of Authorization.

- Ex.R8 — 20-08-2005 Photocopy of Letter sent by the 2nd respondent to the General Manager, Sri Bharathi Mills, Pondicherry.
- Ex.R9 — 28-02-2007 Photocopy of the letter sent by the Labour Officer (Conciliation).
- Ex.R10 — 07-03-2007 Photocopy of the reply letter sent by the 2nd respondent to the Labour Officer (Conciliation).
- Ex.R11 — 27-10-2007 Photocopy of the Gazette Publication published by the Gazette of India.
- Ex.R12 — Photocopy of the Salary Slip of M. Pachayappan (2402) for the month of May 1996.
- Ex.R13 — Photocopy of the Salary Slip of M. Nagamuthu (2404) for the month of May 1996.
- Ex.R14 — Photocopy of the Salary Slip of P. Ranganathan (349) for the month of May 1996.
- Ex.R15 — Photocopy of the Salary Slip of A. Mohandoss (2204) for the month of May 1996.
- Ex.R16 — Photocopy of the Salary Slip of V. Veeramany (2210) for the month of May 1996.
- Ex.R17 — Photocopy of the Salary Slip of S. Rajendiran (2483) for the month of May 1996.
- Ex.R18 — Photocopy of the Salary Slip of M. Mani (2223) for the month of May 1996.
- Ex.R19 — Photocopy of the Salary Slip of B. Gunasekaran (2444) for the month of May 1996.
- Ex.R20 — Photocopy of the Salary Slip of R. Jeeva (2447) for the month of May 1996.
- Ex.R21 — Photocopy of the Salary Slip of A. Balasubramanian (1006) for the month of May 1996.
- Ex.R22 — Photocopy of the Salary Slip of S. Kasinathan (2118) for the month of May 1996.

Ex.R23	—	Photocopy of the Salary Slip of K. Srimvasan (2231) for the month of May 1996.	Ex.R39	—	Photocopy of the Salary Slip of K. Gurunathan (1660) for the month of December 1996.
Ex.R24	—	Photocopy of the Salary Slip of G. Munisamy (2244) for the month of May 1996.	Ex.R40	—	Photocopy of the Salary Slip of M. Sankaralingam (2812) for the month of December 1996.
Ex.R25	—	Photocopy of the Salary Slip of T. Sattaiyappan (2144) for the month of May 1996.	Ex.R41	—	Photocopy of the Salary Slip of R. Varadaraj (2153) for the month of December 1996.
Ex.R26	—	Photocopy of the Salary Slip of B. Namasivayam @ Shanmugam (2429) for the month of May 1996.	Ex.R42	—	Photocopy of the Salary Slip of D. Nagarajan (1176) for the month of December 1996.
Ex.R27	—	Photocopy of the Salary Slip of A. Pushpanathan (2464) for the month of May 1996.	Ex.R43	—	Photocopy of the Salary Slip of P. Tamilarasan (2012) for the month of July 1997.
Ex.R28	—	Photocopy of the Salary Slip of S. Venkatachalam (1661) for the month of December 1996.	Ex.R44	—	Photocopy of the Salary Slip of D. Narayanasamy (2330) for the month of July 1997.
Ex.R29	—	Photocopy of the Salary Slip of G. Kalivaradan (2596) for the month of December 1996.	Ex.R45	—	Photocopy of the Salary Slip of A. Nagalingam (1731) for the month of July 1997.
Ex.R30	—	Photocopy of the Salary Slip of S. Kuppan (1703) for the month of December 1996.	Ex.R46	—	Photocopy of the Salary Slip of S. Desingu (361) for the month of July 1997.
Ex.R31	—	Photocopy of the Salary Slip of D. Narayanasamy (2330) for the month of December 1996.	Ex.R47	—	Photocopy of the Salary Slip of Madurai (506) for the month of July 1997.
Ex.R32	—	Photocopy of the Salary Slip of A. Nagalingam (1731) for the month of December 1996.	Ex.R48	—	Photocopy of the Salary Slip of V. Sadayandi (2704) for the month of July 1997.
Ex.R33	—	Photocopy of the Salary Slip of G. Madurai (506) for the month of December 1996.	Ex.R49	—	Photocopy of the Salary Slip of S. Datchinamoorthy (2947) for the month of July 1997.
Ex.R34	—	Photocopy of the Salary Slip of V. Sadayandi (2704) for the month of December 1996.	Ex.R50	—	Photocopy of the Salary Slip of R. Sundar (2635) for the month of July 1997.
Ex.R35	—	Photocopy of the Salary Slip of S. Datchinamoorthy (2947) for the month of December 1996.	Ex.R51	—	Photocopy of the Salary Slip of R. Ramadoss (2238) for the month of July 1997.
Ex.R36	—	Photocopy of the Salary Slip of E. Ramadoss (2313) for the month of July 1997.	Ex.R52	—	Photocopy of the Salary Slip of K. Gurunathan (1660) for the month of July 1997.
Ex.R37	—	Photocopy of the Salary Slip of R. Ramadoss (2238) for the month of December 1996.	Ex.R53	—	Photocopy of the Salary Slip of M. Sankaralingam (2812) for the month of July 1997.
Ex.R38	—	Photocopy of the Salary Slip of R. Mannancatti (1660) for the month of December 1996.	Ex.R54	—	Photocopy of the Salary Slip of R. Varadaraj (2153) for the month of July 1997.

ANNEXURE-I

Sl. No.	Name of Mill	Ticket No.	Date of Leaving	Detail of the amount of bonus which was waived/ write off to workers
(1)	(2)	(3)	(4)	(5)
				₹
1	R. Patchaipillai	394	19-03-2002	16,626.85
2	A. Babu Azhamadulla	9,714	19-03-2002	15,121.75
3	G. Selvaraj	384	01-09-1998	4,713.37
4	S. Sussai Marianathan @ Joseph	315	13-09-1998	3,581.18
5	K. Balan @ Arikrishnan	2,358	16-09-1998	2,507.58
6	B. Mutharasan	3,806	16-09-1998	3,642.91
7	V. Sandanakrishnan	2,254	12-11-1998	8,638.05
8	K. Perumal	420	01-12-1998	5,349.49
9	R. Chandiran	437	01-01-1999	4,652.95
10	H. Nethralal Sharnia	3,819	01-05-1999	5,285.91
11	A. Kaliaperumal	363	11-06-1999	4,949.38
12	E. Munian	2,411	11-06-1999	5,792.75
13	S. Mohammad Haniffa	2,503	01-08-1999	3,277.04
14	M. Patchayappan	2,402	18-05-2000	13,512.24
15	P. Pandarinathan	3,815	07-12-2001	16,790.25
16	B. Raymont	2,355	19-03-2002	22,271.88
17	M. Irudhayanathan	2,382	19-03-2002	12,325.67
18	N. Subramanian	2,101	19-03-2002	21,150.67
19	I. Pathiyanathan	2,251	13-09-1998	6,395.19
20	Legal Heir Sagundala, W/o. Nagamuthu (died).	2,404	19-03-2002	18,636.93
21	R. Thangaraj	566	19-03-2002	16,394.80
22	K. Kannappan	1,086	19-03-2002	8,423.87
23	S. Ramalingam	1,091	19-03-2002	20,698.59
24	G. Radhakrishnan	1,096	19-03-2002	5,044.04
25	Legal Heir Santha, W/o. V. Subramanian (died).	308	19-03-2002	13,537.87
26	P. Gopalasamy	310	19-03-2002	14,377.78
27	P. Masilamani	625	19-03-2002	16,075.26
28	K. Tamilselvam @ Nagamuthu	330	19-03-2002	20,126.31
29	P. Ranganathan	349	19-03-2002	18,999.09
30	T. Dhandapani	347	19-03-2002	19,000.99

(1)	(2)	(3)	(4)	(5)
				₹
31	P. Velu	2,150	19-03-2002	18,064.46
32	P. Ezhumalai	3,002	19-03-2002	20,000.76
33	A. Arouquiasamy	2,412	19-03-2002	18,179.99
34	R. Devaraj	377	19-03-2002	1,687.90
35	G. Datchinamurthy	354	19-03-2002	16,650.83
36	S. Badmanaban	660	19-03-2002	22,813.05
37	M. Velou	2,107	19-03-2002	8,374.06
38	V. Lourdusamy Trinity	2,213	19-03-2002	1,917.70
39	A. Andre Norbertleon	680	19-03-2002	6,324.71
40	R. Devanathan	416	19-03-2002	17,715.80
41	S. Anandarayar	2,422	19-03-2002	11,230.48
42	P. Subramanian @ Rajendiran	3,674	19-03-2002	16,044.45
43	N. Subramanian	2,480	19-03-2002	13,317.94
44	R. Govindan @ Thulasigam	2,410	19-03-2002	20,001.66
45	K. Sivadasan	2,108	19-03-2002	12,790.42
46	R. Datchinamurthy	2,418	19-03-2002	18,961.70
47	A. Mohandass	2,204	19-03-2002	20,819.98
48	V. Veeramani	2,210	19-03-2002	14,831.31
49	S. Rajendiran	2,483	19-03-2002	17,485.27
50	A. Savoul Pelistere	1,073	19-03-2002	19,963.92
51	K. Ramadass	7,207	19-03-2002	17,811.25
52	Legal Heir Muthulakshmi, W/o. Arumugam.	2,117	19-03-2002	8,610.07
53	P. Mani	2,486	19-03-2002	3,285.25
54	N. Arumugam	8,261	19-03-2002	5,357.80
55	M. Lourdunathan	2,437	19-03-2002	18,068.73
56	A. Abdul Azis	2,440	19-03-2002	20,206.96
57	R. Kannan	2,439	19-03-2002	19,067.35
58	P. Tamil Bala Pedro	2,441	19-03-2002	17,030.20
59	M. Mani	2,223	19-03-2002	7,833.37
60	S. Purushothaman	2,443	19-03-2002	10,649.66
61	S. Pattabiraman	9,171	19-03-2002	13,996.31
62	A. Franswa	376	19-03-2002	16,962.81
63	S. Nithyanandam	1,078	19-03-2002	6,908.97
64	V. Padmanaban	2,146	19-03-2002	17,700.16
65	R. Balounaidu	386	19-03-2002	19,890.44
66	G. Boopalan	2,112	19-03-2002	18,084.20
67	B. Gunasegaran	2,444	19-03-2002	15,904.67
68	V. Jothikumar	2,119	19-03-2002	7,474.60
69	L. Kaliappan	3,009	19-03-2002	18,932.03
70	S. Kengamuthu	2,506	19-03-2002	10,715.39

(1)	(2)	(3)	(4)	(5)
				₹
71	S. Marie Julian Ambrose	2,507	19-03-2002	15,260.23
72	N. Kalivaradhan	9,172	19-03-2002	15,930.79
73	R. Anandakumar	1,688	19-03-2002	6720.07
74	S. Kanagaraj	9,226	19-03-2002	15,427.35
75	G. Sambandam	1,130	19-03-2002	1,175.33
76	R. Jeeva	2,447	19-03-2002	20,736.51
77	N. Balasubramanian	9,216	19-03-2002	8,641.17
78	K. Volvilori	9,790	19-03-2002	17,959.48
79	N. Narasimma Murthy	1,689	19-03-2002	9,317.49
80	K. Villalan	1,698	19-03-2002	6,466.83
81	M. Rayappan	2,455	19-03-2002	13,695.22
82	K. Mukundan	2,460	19-03-2002	20,510.38
83	Legal Heir Annammale, W/o. A. Isaraya (died).	2,121	19-03-2002	8,790.48
84	M. Rabiell	2,208	19-03-2002	18,716.02
85	K. Palanivelu @ Dhandabani	2,226	19-03-2002	14,963.78
86	R. Sugumaran	9,793	19-03-2002	18,393.58
87	Legal Heir Rajam, W/o. T. Paneerselvam (died).	2,216	19-03-2002	11,169.06
88	V. Vishwanathan	2,219	19-03-2002	13,928.77
89	E. Uthiravelu	2,463	19-03-2002	16,517.00
90	L. Ragothaman	968	19-03-2002	15,140.14
91	A. Balasubramanian	1,006	19-03-2002	16,497.95
92	A. Segaran	9,055	19-03-2002	12,786.64
93	V. Mohanan	2,492	19-03-2002	14,338.04
94	I. Sussai	2,426	19-03-2002	16,840.03
95	R. Angappan	2,123	19-03-2002	11,912.42
96	N. Kuppan	1,704	19-03-2002	13,557.82
97	T. Loganathan	2,494	19-03-2002	11,111.77
98	Legal Heir Thulasi, W/o. A. Kasinathan (died).	2,118	19-03-2002	9,340.16
99	K. Rajendiran	2,124	19-03-2002	17,538.23
100	G. Paneerselvam	9,061	19-03-2002	12,893.13
101	N. Parasuraman @ Paramasivam	9,072	19-03-2002	13,178.67
102	E. Rathinam	9,140	01-08-1999	4,070.59
103	K. Srinivasan	2,231	19-03-2002	12,526.07
104	A. Louis	2,468	19-03-2002	7,619.59
105	M. Sabidadevi	9,654	01-08-1999	5,656.14
106	K. Ravindran	1,117	19-03-2002	7,741.99
107	N. Sadanandan	1,532	19-03-2002	7,519.23

(1)	(2)	(3)	(4)	(5)
				₹
108	S. Adi Narayanan	430	19-03-2002	18,383.01
109	K. Sivairjanam	244	01-11-2002	13,671.19
110	M. Ambujam	9,023	19-03-2002	8,607.54
111	M. Arunachalam	9,684	01-05-1999	9,918.01
112	M. Jeeva Artist	2,475	19-03-2002	1,226.30
113	M. Sussai Marianathan	2,261	19-03-2002	2,944.57
114	R. Arumugam	2,233	19-03-2002	9,371.46
115	K. Krishnaraj @ Ariaputhiri	2,250	19-03-2002	1,085.76
116	M. Shanmugam	1,722	19-03-2002	6,402.83
117	G. Munisamy	2,244	19-03-2002	17,992.85
118	S. Irusappan	2,472	19-03-2002	2,656.47
119	J. Rajaraman	2,535	19-03-2002	10,848.11
120	V. Ramkumar	2,531	19-03-2002	6,470.86
121	P. Dakshinamurthy	2,530	19-03-2002	21,070.63
122	P. Ammayappan	2,270	19-03-2002	1,719.87
123	P. Selvam	1,710	19-03-2002	3,676.20
124	N. Kumar @ Venkatrajan	2,114	19-03-2002	13,101.87
125	K. Dayalan	1,723	19-03-2002	11,869.90
126	K. Mohankumar	1,792	19-03-2002	15,410.33
127	P. Balakrishnan	1,711	19-03-2002	13,254.14
128	G. Lourdemarie Chila, W/o. German (died).	9,251	19-03-2002	9,011.50
129	M. Gunasundari, W/o. Masilamani (died).	2,540	19-03-2002	16,308.00
130	N. Ramamurthy	2,265	19-03-2002	9,741.77
131	K. Gandhi	2,271	19-03-2002	13,154.97
132	G. Srinivasan	2,543	19-03-2002	9,903.73
133	V. Vassu	2,572	19-03-2002	4,852.62
134	N. Senthil Vinayagam	1,608	01-07-2002	6,493.68
135	S. Rouvier Florent	2,129	19-03-2002	4,008.79
136	D. Proser	2,548	19-03-2002	9,381.51
137	R. Sangaradass	2,580	19-03-2002	11,989.64
138	S. Muthu	2,136	19-03-2002	5,989.26
139	L. Soundar Rajan	2,553	19-03-2002	8,833.30
140	S. Aroquiasamy	9,722	19-03-2002	12,387.84
141	K. Manickam	9,744	19-03-2002	1,897.04
142	S. Isack	9,743	19-03-2002	6,676.88
143	K. Govindan	2,586	19-03-2002	2,694.04
144	J. Kuppusamy	2,142	19-03-2002	1,194.95
145	V. Rajalakshmi	9,733	19-03-2002	1,789.25
146	J. Gnanamurthy	2,137	19-03-2002	1,624.55

(1)	(2)	(3)	(4)	(5)
				₹
147	K. Sridharan	1,679	19-03-2002	2,252.07
148	B. Murugayan	1,797	19-03-2002	5,028.08
149	P. Selvarassou	34	19-03-2002	6,499.21
150	R. Veerappan	2,594	19-03-2002	14,187.99
151	K. Rajaram	35	19-03-2002	3,611.71
152	S. Sugumaran	18	19-03-2002	3,068.57
153	G. Narayanasamy	22	19-03-2002	10,408.47
154	G. Tamizanban	30	19-03-2002	6,345.10
155	S. Raphelnathan	2,135	01-02-2000	6,594.22
156	M. Vengadachalam	48	19-03-2002	2,123.86
157	M. Tamilkodi	56	19-03-2002	9,227.95
158	M. Karuppiyan	90	19-03-2002	3,832.65
159	A. Chandra	101	19-03-2002	4,815.33
160	C. Jayabal	94	19-03-2002	5,506.61
161	G. Piragasam	98	19-03-2002	8,694.03
162	R. Shanmugam	87	19-03-2002	9,097.73
163	K. Kaliamurthy	3,008	20-08-2002	11,938.10
164	G. Arulselvi, W/o. Ganesan (died).	1,803	01-11-2002	13,609.37
165	G. Samuvel @ Kumar	355	12-02-2004	27,540.19
166	R. Srinivasan	2,438	30-04-2004	7,881.21
167	T. Sattayappan	2,144	27-05-2004	25,460.39
168	N. Vaithianathan	2,497	30-04-2004	15,706.18
169	R. Rathinasababathy	2,248	02-03-2004	10,641.22
170	C. Sathiamurthy	431	27-05-2004	17,058.67
171	R. Parimalam	9,715	17-05-2004	21,970.11
172	A. Elanjazhiyan	2,549	10-03-2004	25,772.19
173	A. Martine Lomce Devarajan	2,556	06-03-2004	13,871.37
174	S. Sekar	1,676	10-03-2004	12,157.54
175	M. Lakshmanart	1,801	27-05-2004	5,999.47
176	V. Moreau Berlin	3,818	30-04-2004	20,922.90
177	P. Nandakumar	41	11-03-2004	7,195.01
178	M. Karuppaian	2,588	10-03-2004	21,191.52
179	K. Narasimman	91	09-03-2004	6,752.27
180	J. Vijayalakshmi	Typist	01-01-1997	4,950.00
181	V. Jagadeesan	Sr. Clerk	01-07-2000	16,991.11
182	V. Krishnamurthy	H.T.K. Chick Clerk	01-03-1998	6,930.00
183	R. Gowri, W/o. Ramanujam (died).	Sr. Time Clerk	04-07-1998	7,380.00
184	T. Govindarasa Perumal	Sr. Clerk	14-07-1999	11,760.00

(1)	(2)	(3)	(4)	(5)
				₹
185	G. Thulasingham	Sr. T.K	18-11-1999	16,722.85
186	K. Vaithilingam	Sr. Clerk	19-03-2002	24,367.30
187	J. Mathiew	Sr. Clerk	19-03-2002	24,146.99
188	M. Pourouchottamin	Sr. Clerk	01-09-2000	16,602.15
189	K. Selvaraj	Sr. Clerk	01-07-2000	16,702.60
190	G. Radhakrishnan	Sr. Acct	31-05-2004	29,530.00
191	S. Palanisamy	Sr. Clerk	03-09-2001	22,030.44
192	T. Mahalingam	Staff OP	19-03-2002	22,110.87
193	S. Panchatcharam	Staff OP	19-03-2002	19,936.30
194	R. Rajaram	2,147	01-11-1997	3,617.17
195	K. Saradha	9,647	19-03-2002	19,098.67
196	V. Arumugam (died) rep. by LR's A. Saroja	9,780	27-05-2004	19,479.79
197	P. Somasundaram (died) rep. by LR's S. Bharathi	2,433	19-03-2002	4,812.14
198	D. Arokiadass (died) rep. by LR's Madeline Mary	2,484	26-05-2004	25,561.36
199	V. Kesavelu (died) rep. by LR's K. Meena	2,526	19-03-2002	20,405.11
200	A. Kannan (died) rep. by LR's K. Kasthuri	2,513	19-03-2002	17,705.09
201	Karunanidhy (died) rep. by LR's K. Mariammal	2,407	30-04-2000	10,096.36
202	C. Alagappan	2,408	27-12-1996	3,150.00
203	K. Marimuthu	1,478	11-01-1997	3,788.00
204	T. Nagarajan	1,176	19-12-1997	3,522.29
205	P. Tamilarasan	2,012	14-03-1998	5,809.13
206	K. Kannan	2,358	31-08-1999	2,537.30
207	K. Gurunathan	1,660	19-07-1999	8,347.19
208	E. Ramadass	2,313	28-02-1999	9,288.70
209	R. Sundar	2,635	27-02-1999	2,845.54
210	D. Pavadai Samy	1,733	29-07-1999	3,918.48
211	S. Bharathy	2,910	20-09-1999	3,196.83
Total Amount				24,86,071.67

V. PANDIARAJ,
Presiding Officer,
Industrial Tribunal-cum-
Labour Court, Puducherry.